

Serial No.: 10/608,883  
Group Art Unit: 2813

**REMARKS**

***Allowable Subject Matter***

**Claims 12-13, 16-17, 20, and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.**

Claims 11 and 15 have been amended to include the allowable subject matter of claims 12 and 16, and are thus allowable.

Claims 12 and 16 have been canceled.

Claims 13 and 17 have been amended since the allowable subject matter therein has been included in claims 11 and 15, respectively. These claims continue to be allowable.

Claims 20 and 22 depend respectively from amended claims 11 and 15, and are thus allowable.

Claim 23 has been added as rewritten claim 11 including the allowable subject matter of claim 20, and is thus allowable.

Claim 26 has been added as rewritten claim 15 including the allowable subject matter of claim 22, and is thus allowable.

***Claim Rejections - 35 USC §102***

**Claims 11, 14-15, 18-19, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Jain (US 5,821,168, hereinafter "Jain").**

Regarding claim 11, the claim has been amended to include the allowable subject matter of claim 12, and is now allowable.

Regarding claim 14, the claim depends from allowable claim 11 and is thus allowable.

Regarding claim 15, the claim has been amended to include the allowable subject matter of claim 16, and is now allowable.

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Regarding Claim 18, the claim depends from allowable claim 15 and is thus allowable.

Regarding Claim 19, the claim depends from allowable claim 11 and is thus allowable.

Regarding Claim 21, the claim depends from allowable claim 15 and is thus allowable.

Based on the above, it is respectfully submitted that claims 11, 14-15, 18-19, and 21 are allowable under 35 U.S.C. 102(b) as not being anticipated by Jain.

#### *Specification*

The disclosure is objected to because of an informality in the Cross-Reference section.

Applicants have corrected the Cross-Reference to Related Applications section to indicate that US Application Serial No. 10/226,520 has issued as U.S. Patent 6,642,145 B1.

#### *Other*

The Examiner stated that the prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

"Ahn et al. teach the formation of a barrier layer by nitridation of exposed surfaces of an insulating layer."

The reference, Ahn, and the other references cited by the Examiner showing the prior art have been considered and are not believed to disclose, teach, or suggest, either singularly or in combination, Applicants' invention as claimed

#### *Conclusion*

In view of the above, it is submitted that the claims are in condition for allowance and reconsideration of the rejections is respectfully requested. Allowance of claims 11, 13-15, and 17-28 at an early date is solicited.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including any extension of time fees, to Deposit Account No. 01-0365 and please credit any excess fees to such deposit account.

Respectfully submitted,



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